

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Attorney Docket No. 05-037)

In the Application of:)
)
Charles Henry Horn, et al)
)
) Examiner: To Be Assigned
)
Application No.: 10/521,847)
) Group Art Unit: To Be Assigned
)
Filing Date: January 18, 2005)
)
For: Megasphaera Elsdenii Stain and its Uses)
)

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PRELIMINARY AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Prior to initial examination of the application and calculation of the claim fee, please cancel claims 2-22.

Claims 2-22 have been cancelled to avoid excess claim fees and fees for multiply dependent claims. Applicants will file a subsequent Preliminary Amendment prior to the first Office Action.

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

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Patricia Gattari

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Charles Henry Horn, et al

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Examiner: To Be Assigned

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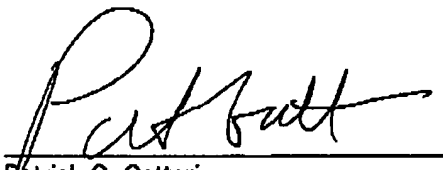
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The undersigned hereby certifies that this paper and the attached Preliminary Amendment is being transmitted by facsimile to the United States Patent and Trademark Office Facsimile No. 703-872-9306 on March 25, 2005.


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